

## NEGATIVE DECLARATION

**PROJECT TITLE**            **ON-GOING CALIFORNIA STATE WATER PROJECT OPERATIONS  
IN THE SACRAMENTO-SAN JOAQUIN DELTA FOR THE  
PROTECTION OF LONGFIN SMELT**

**DATE:**                      February 17, 2009

**LEAD AGENCY:**        California Department of Water Resources

**CONTACT PERSON:**    Heidi Rooks, Chief of Ecological Studies Branch, Division of  
Environmental Services

### PROJECT DESCRIPTION

The proposed project, or action, is the Department of Water Resources' (DWR) on-going and long-term operation of the State Water Project (SWP) in the manner consistent with the protection and conservation of the longfin smelt (*Spirincus thaleichthys*) in compliance with the California Endangered Species Act (CESA) as authorized by the California Department of Fish and Game (DFG) through issuance of a permit for take of longfin smelt under Section 2081 of CESA (California Fish and Game Code Section 2081). The action consists of operation of SWP facilities consistent with certain actions identified in the U.S. Fish and Wildlife Service Delta Smelt Biological Opinion of the Operating Criteria and Plan for the Coordinated Operations of the Central Valley Project and State Water Project (USFWS 2008). The action includes operation of SWP facilities from December through June to protect adult longfin smelt migration and spawning and larvae and juvenile rearing. The protection of longfin smelt is achieved through operations undertaken during the same period to protect delta smelt which are sufficient for the protection of longfin smelt because of adaptive management provisions and the substantial overlap in timing and distribution of these species in the Sacramento-San Joaquin Delta. The specific operations are described in detail in Chapter 2, Project Description (see section titled Proposed State Water Project Operations for Protection of Longfin Smelt) in the attached Initial Study.

### DECLARATION

The California Department of Water Resources has determined that the above project would have no significant impact on the environment and an EIR will not be prepared. The determination is based on the attached Initial Study (SCH #2009012022) and the following findings:

1. The project will not degrade the quality of the environment, substantially reduce fish or wildlife habitat, cause a wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of special-status species, or eliminate important examples of California history or prehistory.
2. The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
3. The project will not have impacts that are individually limited but cumulatively considerable.

4. The project will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.
5. No substantial evidence exists that the project will have a negative or adverse effect on the environment.
6. This Negative Declaration reflects the independent judgment of the lead agency.

Because the project will not result in any significant effects, no mitigation measures are proposed and a separate CEQA mitigation monitoring plan will not be adopted in conjunction with this Negative Declaration.

The public review period for the Initial Study/Draft Negative Declaration expired on February 2, 2009.

The Initial Study, Draft Negative Declaration, and comments on the Initial Study/Draft Negative Declaration are on file and available for public review at 3500 Industrial Blvd, West Sacramento, CA 95691 (916.376.9704). Heidi Rooks, California Department of Water Resources, is the custodian of the documents that constitute the record of proceedings upon which the decision in this matter is based.

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Barbara McDonnell  
Chief, Environmental Services

February 17, 2009  
Date